

SALON MARROW DYCKMAN NEWMAN & BROUDY LLP

ATTORNEYS AT LAW

LIVIU VOGEL*
Partner

lvogel@salonmarrow.com
direct dial (646) 843-1909

*also admitted in Connecticut

292 MADISON AVENUE • NEW YORK, NY 10017

Telephone (212) 661-7100

Facsimile (212) 661-3339

One University Plaza, Suite 408
Hackensack, NJ 07601
Telephone (201) 662-0656
Facsimile (201) 487-9054

257 Lyons Plains Road
Weston, CT 06883
Telephone (203) 227-0023
Facsimile (646) 843-1910

800 Corporate Drive, Suite 208
Ft. Lauderdale, FL 33334
Telephone (954) 491-0099
Facsimile (954) 491-1544

April 25, 2014

Hon. Katherine B. Forrest
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: APR 29 2014**

Re: Deborah Peterson, et al. v. Islamic Republic of Iran, et al.;
Case No. 13 CIV 9195 (KBF) [rel. 10 CIV 4518]

Dear Judge Forrest:

I write on behalf of Plaintiffs for leave to extend the time limit for service of the summons pursuant to Federal Rules of Civil Procedure, Rule 4(m). Plaintiffs filed their complaint on December 30, 2013. Their time to serve the summons expires on April 29, 2014.

Defendant Clearstream Banking, S.A., has executed a waiver of service (Dkt. No. 35). Counsel for Defendant Banca UBAE, SpA agreed to waive service of the summons and confirmed it by e-mail on March 26, 2014. A copy of the e-mail containing counsel's assurance that he would file a waiver of service on the docket is annexed hereto. To date, Plaintiffs have not received a signed waiver of service from counsel for Banca UBAE, SpA.

Although the time limitation under Rule 4(m) does not apply to service in a foreign country against a foreign state or its political subdivision, agency, or instrumentality, Your Honor noted the possibility that Bank Markazi may claim that it is not a political subdivision, agency, or instrumentality of Iran. Therefore, out of an abundance of caution, Plaintiffs request that the Court extend the time limit to serve the summons on Bank Markazi as well. After providing the complaint to counsel for Clearstream and Banca UBAE, their counsel engaged Plaintiffs' counsel in discussions concerning the possibility of amendment of the complaint to address certain allegations that the Defendants claimed were in violation of the settlement agreements between the Plaintiffs and Clearstream and UBAE in the related case (10 CIV 4518).

SALON MARROW DYCKMAN NEWMAN & BROUDY LLP

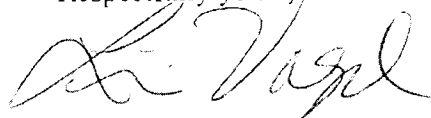
Hon. Katherine B. Forrest
April 25, 2014
Page 2

Accordingly, the Plaintiffs did not attempt to obtain the translation of the complaint into Farsi until the issues concerning the complaint were resolved. Those issues were resolved by the filing of a stipulation between counsel for the Plaintiffs and counsel for Clearstream on March 5, 2014 (Dkt. No. 21-1).

Since then, it has taken some time to translate the documents into Farsi. Once translated, we learned from DHL that our account for delivery of packages to Iran, which had previously been approved by OFAC, had been suspended by DHL. Additional efforts were required to reactivate the account, thereby delaying our ability to serve the summons and related papers pursuant to 28 U.S.C. Section 1608(b)(3)(B).

Accordingly, Plaintiffs respectively request that the Court grant them an extension of 120 days to complete service of the summons.

Respectfully yours,



Liviu Vogel

Enclosure
LV:rj

cc: All counsel of record

Order
Application granted.

4/28/14

K.B. Jan
USDG

Liviu Vogel

From: Colella, Ugo <Ugo.Colella@thompsonhine.com>
Sent: Wednesday, March 26, 2014 12:05 PM
To: Liviu Vogel
Subject: RE: Peterson II

My apologies Liviu. We will get one filed on the docket.

Ugo Colella | Partner | Thompson Hine LLP
1919 M Street, N.W., Suite 700 | Washington, D.C. 20036-1600
Office: 202.263.4192 | Mobile: 202.247.5005
Fax: 202.331.8330 | Email: Ugo.Colella@ThompsonHine.com
Web: <http://www.thompsonhine.com>

Atlanta | Cincinnati | Cleveland | Columbus | Dayton | New York | Washington, D.C.



Ranked in the top four U.S. law firms as a Litigation Powerhouse by The BTI Consulting Group, and named in *Benchmark Litigation*, the definitive guide to America's leading litigation firms and lawyers based on their extensive interviews with clients and litigators.

From: Liviu Vogel [<mailto:LVogel@salonmarrow.com>]
Sent: Tuesday, March 25, 2014 4:55 PM
To: Colella, Ugo
Subject: Peterson II

Dear Ugo,

Although you agreed to accept service of the summons and complaint, I don't believe I have received a signed waiver. I took the liberty of preparing one for your signature, and have attached it. Also attached is another copy of the complaint, exhibits and summons. Please sign and return the stipulation.

Thanks,
Liviu

Liviu Vogel
Salon Marrow Dyckman Newman & Broudy LLP
292 Madison Avenue
New York, NY 10017
Main Tel: 212.661.7100 Ext. 1909
Main Fax: 212.661.3339
Direct Tel: 646.843.1909
Direct Fax: 646.843.1910

257 Lyons Plains Road
Weston, CT 06883
Main Tel: 203.227.0023
Main Fax: 646.843.1910